

# **BROOKINGS COUNTY COMMISSION MEETING**

**Tuesday, October 2, 2007**

The Brookings County Board of County Commissioners met in regular session on Tuesday, October 2, 2007 with the following members present: Don Larson, Mary Negstad, Deanna Santema, Dennis Falken, and Emil Klavetter.

## **CALL TO ORDER**

Chairperson Klavetter called the meeting to order.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

## **CONSENT AGENDA**

Chairperson Klavetter declared the Consent Agenda approved with no objection from the board. The Consent Agenda consisted of the agenda for the October 2, 2007 Commission Meeting, and the minutes from the September 25, 2007 Commission Meeting.

Welfare Matters: Case #07-087 for Brookings Hospital was Approved; Case 07-088 for Brookings Utilities was Approved; Case #07-090 for Brookings Hospital was Denied; Case #07-091 for City of Elkton and Ottertail was Approved; Case #07-092 for Rent was Approved.

Travel/Education: Joyce Caugherty and Brenda Conn to attend a regional staff meeting in Watertown, SD on October 25, 2007; Shawn Hostler and Darin Haider to attend the Interview and Interrogation training course in Sioux Falls, SD March 24-28, 2008; Robert Hill and Richard Haugen to attend the SD Planner Association 2007 Planning and Zoning Conference in Chamberlin, SD November 7-8, 2007; Kristin Trana to attend a session on Human Resources for Professionals Who've Recently Assumed HR Responsibilities in Sioux Falls, SD on October 16, 2007; Larry Jensen to attend the 22<sup>nd</sup> Region County Road Conference in Rapid City, SD October 16-18, 2007; Stacy Steffensen and Krista Spence to attend the 2007 County Auditor's Election Workshop in Pierre, SD December 12-14, 2007.

## **ROUTINE BUSINESS**

Weed & Pest Supervisor, Gary Egeberg updated the board on weed spraying on county roads, interstates and private roads; and discussed the SD Weed & Pest Control meeting.

Extension Educator, Rose Stee summarized the events of the SD State Fair, and updated the board on the 4-H calendar and leadership meeting.

Emergency Management Director, Todd Struwe met with the board to discuss the upcoming Incident Management training and fiscal year end.

Zoning & Drainage Director, Robert Hill reported on the wind tower tour, Bruce City Council meeting, LUCA training and the Festival of Lights.

Assistant Highway Superintendent, Larry Jensen updated the board on the progress of the Emergency Bridge on County Road 35.

Sheriff, Martin Stanwick met with the board to discuss the Festival of Lights, Hobo Day weekend arrests, 24/7 charge update, and a Juvenile Symposium.

Deputy Auditor, Krista Spence presented the board with the Auditor's Report.

Motion by Falken, seconded by Santema to approve for recording purposes and authorize Chairperson Klavetter to sign Resolution #07-34; A Resolution for the plat of Lot 1 of Pitts Addition in Government Lot 4, Section 31-T109N-R49W of the 5<sup>th</sup> P.M. Brookings County, South Dakota. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye," Klavetter "Aye." Motion Carried.

### **REGULAR BUSINESS**

Court Services Officer, Gary Moen met with the board to discuss grant matching for a Title V Delinquency Prevention Grant. Motion by Santema, seconded by Negstad to approve and authorize Chairperson Klavetter to sign a document to apply for the grant. Roll Call Vote: Negstad "Aye," Santema "Aye," Falken "Aye," Larson "Aye," Klavetter "Aye." Motion Carried.

Motion by Negstad, seconded by Santema to approve and authorize Chairperson Klavetter to sign Resolution #07-35: A Resolution by White Wind Farm for the right and franchise to construct, operate and maintain electrical transmission lines and facilities, in, under and across the Roadways for purposes of operating a wind-generated electricity production project in Brookings County. Roll Call Vote: Santema "Aye," Falken "Aye," Larson "Aye," Negstad "Aye," Klavetter "Aye." Motion Carried.

#### **Resolution #07-35**

STATE OF SOUTH DAKOTA	)
	) ss
County of Brookings	)
	)
In the Matter of the Application of	)
	)
WHITE WIND FARM, LLC,	)
	)
for a County Franchise.	)

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WHEREAS, WHITE WIND FARM, LLC, a Minnesota limited liability company, engaged in the production of electricity through wind power did on the 23rd day of August, 2007, filed in the office of the County Auditor in the County of Brookings, State of South Dakota, an Application requesting the right and franchise to construct, maintain and operate along, upon and over the following portions of the following public county and township roadways, electrical transmission lines and facilities, for the purpose of operating a wind-generated electricity production project in said county: the property boundaries are described as: Sherman Township (T111N, R48W) Sections 7-11, 13-21 and 23-33.

WHEREAS, said Application came on for hearing before the County Commissioners of Brookings County, State of South Dakota, on the 2nd day of October, 2007, at the hour of 9:00 o'clock A.M., in the Chamber of the County Commissioners in the City of Brookings, South Dakota, and it appearing that due and timely notice of said hearing having been given by mail by the County Auditor to all persons, firms and corporations owning or operating electric transmission, telegraph or telephone lines on or along any part of the subject Roadways, all in accordance with the laws and statutes of the State of South Dakota pertaining thereto, and

WHEREAS, the matter having been heard and considered by the Board of County Commissioners, and it appearing to the satisfaction of said Board that WHITE WIND FARM, LLC, is in compliance with and willing to comply with the provisions of Chapter 31-26 SDCL and good cause appearing therefore, now therefore,

BE IT RESOLVED by the Board of County Commissioners of the County of Brookings, State of South Dakota, that the Application of WHITE WIND FARM, LLC, be and the same is hereby granted, and the right and franchise to construct, operate and maintain electrical transmission lines and facilities, in, under and across the Roadways for purposes of operating a wind-generated electricity production project in said county, be and the same is hereby granted to said WHITE WIND FARM, LLC, for a period of twenty (20) years from and after the date hereof; said franchise being subject to the conditions set forth in Chapter 31-26 SDCL and such further reasonable regulations as this County or the Legislature may hereafter prescribe.

Introduced, passed and approved this 2<sup>nd</sup> day of October, 2007, at Brookings, South Dakota.

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Emil Klavetter  
Chairman of the Board of County Commissioners

ATTEST:

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Janet Willmott  
Brookings County Auditor

Motion by Falken, seconded by Negstad to approve and authorize Chairperson Klavetter to sign Agreement #07-24: An Application made by White Wind Farm for Occupancy of Right of Way for County Highways. Roll Call Vote: Falken "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye." Motion Carried.

Motion by Negstad, seconded by Falken to approve and authorize Chairperson Klavetter to sign Resolution #07-36: A Resolution authorizing rezoning of property from Agricultural District to Lake Park District. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye," Klavetter "Aye." Motion Carried.

#### **Resolution #07-36**

#### **A Resolution Authorizing Rezoning of property from Agricultural District to Lake Park District.**

WHEREAS, an application was made to the Brookings County Board of Adjustment to rezone property from Agricultural District to Lake Park District,

WHEREAS, the Brookings County Zoning Board approved the application to rezone at its September 4, 2007 meeting;

WHEREAS SDCL 11-2-30 requires the Brookings County Commission to adopt or reject the change;

THEREFORE BE IT RESOLVED, that the following property be rezoned from Agricultural District to Lake Park District:

Lot 1 of Ramlo Shores Subdivision located in E ½ NW ¼ & Governmentt Lots 3 & 4 of Brookings County, South Dakota. Subject to public road right-of-way and easements of record.

Dated this 2<sup>nd</sup> day of October, 2007

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Emil Klavetter, Chairperson  
Brookings County Commission

ATTEST:

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Janet Willmott, Auditor  
Brookings County

Pat Carey, Banner Associates, Inc discussed septic tank issues with the Lake Poinsett Sanitary District. The board agreed by consensus to consider individual applications to Occupy the Right Of Way of County Highways for each county road as needed.

Motion by Falken, seconded by Negstad to authorize the County Highway department to purchase a Towmaster T-40T Trailer for \$22,686.00 as budgeted in the 2007 budget. Roll Call Vote: Negstad "Aye," Santema "Aye," Falken "Aye," Larson "Aye," Klavetter "Aye." Motion Carried.

Brookings County Treasurer, Vicki Buseth presented the quarterly financial report for Brookings County.

Motion by Santema, seconded by Falken to approve and authorize Chairperson Klavetter to sign Agreement #07-25: The State and Local Agreement (SLA) between the State of SD and Brookings County for Fiscal Year 2008. Roll Call Vote: Santema "Aye," Falken "Aye," Larson "Aye," Negstad "Aye," Klavetter "Aye." Motion Carried.

Be it noted, Chairperson Klavetter signed the SLA Quarterly Activity Report for the 4<sup>th</sup> Quarter of Fiscal Year 2007.

Human Resources Deputy Director, Kristin Trana met with the board to discuss Personnel matters, a Request to Fill Vacancy and correspondence received.

Motion by Negstad, seconded by Falken to approve and authorize Chairperson Klavetter to sign the Request to Fill Vacancy form for the Administrative Assistant position. Roll Call Vote: Falken "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye." Motion Carried.

Be it noted, the board approved the following Personnel Action Notices: Resignation: Denise Brown.

## **COMMISSIONER'S OPEN DISCUSSION**

Commissioner Falken reported on a Liquor License meeting, and Hobo Day activities.

Commissioner Santema reported on a Swiftel Center/City/County meeting, Swiftel Center Board meeting, Hobo Day activities and a East Central Mental Health meeting.

Commissioner Negstad reported on the ICAP meeting, Domestic Abuse Shelter meeting and the Hobo Day activities.

Commissioner Larson had no report.

Commissioner Klavetter reported on the Hobo Day Activities.

## **ADJOURNMENT**

There being no further business, Chairperson Klavetter declared the regular meeting adjourned until 8:30am Tuesday, October 9, 2007.

It is the policy of Brookings County, South Dakota, not to discriminate against the Handicapped in Employment or the Provision of Service. The County of Brookings is responsive to requests for communication aids and the need to provide appropriate access, and will provide alternative formats and accessible locations consistent with the Americans with Disabilities Act.

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Krista Spence  
Deputy Auditor  
Brookings County Auditor's Office